

# STATE OF WISCONSIN

SENATE CHAIR  
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ASSEMBLY CHAIR  
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## JOINT COMMITTEE ON FINANCE

Minutes of the Meeting under s. 13.10

September 13, 2023

Co-Chair Marklein presided and called the meeting to order.

Present: Senators Marklein, Stroebel, Felzkowski, Ballweg, Testin, Wimberger, Johnson, Roys  
Representatives Born, Katsma, Zimmerman, Rodriguez, Kurtz, Dallman, McGuire, Andraca

*{Secretary's note: Items I, II, III, IV, V, VI, VII, VIII and IX were taken up en masse in a single motion.}*

I. Department of Justice

*State of Wisconsin v. Didion Mining, Inc., and Didion Ethanol, LLC*

II. Department of Justice

*State of Wisconsin v. Ellsworth Cooperative Creamery*

III. Department of Justice

*State of Wisconsin v. North Side Genetics, LLC*

IV. Department of Justice

*State of Wisconsin v. Bradley Hartman and Hartman Well Drilling & Pump, Inc.*

V. Department of Justice

*State of Wisconsin v. Larry Burns, Jason Burns, and Musson Bros., Inc.*

VI. Department of Justice

*State of Wisconsin v. Brensten Education, Inc. and James Brent*

VII. Department of Justice

*State of Wisconsin v. Stahl Brothers Dairy, LLC and Thomas G. Stahl*

VIII. Department of Justice

*State of Wisconsin v. Nationwide Transfer, LLC, Michael Miles, and Stacey Hammit*

IX. Department of Justice

*Federal Trade Commission et al. v. Amgen Inc. et al.*

Moved by Senator Marklein and seconded by Representative Born to approve the nine settlement agreements submitted by the department to the Joint Committee on Finance under s. 165.08. Pursuant to s. 165.10, and in light of the presumption embodied in s. 20.906(1), the Committee believes that the Attorney General must deposit all settlement funds, including attorneys' fees from settlements, into the general fund for general revenue purposes. However, in light of the decision in Wis. State Legislature v. Kaul, No. 2021-CV-152 (Wis. Cir. Ct. Polk Cnty.) on the meaning of s. 165.10, the Committee approves the proposed plans, notwithstanding the plans' failure to commit all attorneys' fees into the general fund for general revenue purposes. The Committee notes, however, that the decision in Wisconsin State Legislature v. Kaul on the meaning of s. 165.10 is currently on appeal. See Wis. State Legislature v. Kaul, No. 2022-AP-431 (Wis. Ct. App. notice of appeal filed March 14, 2022). Should the appellants prevail in that ongoing appeal as to the meaning of s. 165.10, the Committee will expect the Attorney General at that time to deposit all attorneys' fees from these settlements into the general fund for general revenue purposes.

Ayes, 16; Noes, 0

X. Department of Justice

Moved by Senator Marklein and seconded by Representative Born to approve the creation of a 1.0 FTE PR-S two-year project position created in fiscal year 2023-24 in its law enforcement training fund, state operations appropriation under s. 20.455(2)(ja). The position will implement virtual components of law enforcement and jail officer training programs. The project position will expire in September, 2025.

Ayes, 16; Noes, 0

XI. Department of Justice

Moved by Senator Johnson and seconded by Senator Roys to approve the department's request for the creation of 1.0 FTE PR-S permanent position beginning in fiscal year 2023-24 in its Wisconsin justice information sharing program appropriation under s. 20.455(2)(ko). The position would implement data collection and reporting requirements related to the execution of search warrants as provided in 2021 Wisconsin Act 183.

Ayes, 4; Noes, 12 (Marklein, Stroebel, Felzkowski, Ballweg, Testin, Wimberger, Born, Katsma, Zimmerman, Rodriguez, Kurtz, Dallman)

Moved by Senator Marklein and seconded by Representative Born to deny the department's request.

Ayes, 12; Noes, 4 (Johnson, Roys, McGuire, Andraca)



Dustin Trickle, Secretary

Date: 9/14/23



Senator Howard Marklein, Co-Chair

Date: 9/14/23



Tony Evers, Governor

Date: 9/18/23

**SUMMARY**

**DETAIL OF JOINT FINANCE COMMITTEE APPROPRIATED LEVELS  
2023-25 Biennium  
July 1, 2023**

	<u>2023-24</u>	<u>2024-25</u>	<u>2023-25 Biennium</u>
<b>20.865(4)(a) Appropriation Total Summary - GPR</b>			
Unreserved	\$133,600	\$133,600	\$267,200
Reserve for Building Commission -- Transfer to Building Trust Fund	32,000,000	0	32,000,000
Reserve for Children and Families -- National Reading Program	500,000	500,000	1,000,000
Reserve for Corrections -- Population and Inflationary Cost Increases	5,675,100	5,675,100	11,350,200
Reserve for Corrections -- Contract Bed Funding	0	8,790,400	8,790,400
Reserve for Corrections -- Reentry Centers	4,000,000	0	4,000,000
Reserve for Health Services -- Telemedicine Crisis Response Pilot Program	2,000,000	0	2,000,000
Reserve for Health Services -- Crisis Urgent Care	10,000,000	0	10,000,000
Reserve for Health Services -- Dentistry Residency	5,000,000	0	5,000,000
Reserve for Health Services -- Complex Patient Pilot Program	5,000,000	0	5,000,000
Reserve for Military Affairs -- Town of Silver Public Safety Building	1,000,000	0	1,000,000
Reserve for Military Affairs -- Pre-Disaster Flood Mitigation	2,000,000	0	2,000,000
Reserve for Military Affairs -- WISCOM Upgrades	0	2,000,000	2,000,000
Reserve for Miscellaneous Appropriations -- WisconsinEye	10,000,000	0	10,000,000
Reserve for Natural Resources -- Well Compensation	1,000,000	0	1,000,000
Reserve for Public Instruction -- Literacy	50,000,000	0	50,000,000
Reserve for Public Instruction -- Shared School District Services	5,000,000	0	5,000,000
Reserve for Public Instruction -- Recovery School	500,000	500,000	1,000,000
Reserve for UW System -- Workforce Development	31,881,800	0	31,881,800
Reserve for Veterans Affairs -- State Veterans Homes	2,500,000	2,500,000	5,000,000
Reserve for WEDC -- Opportunity Attraction and Promotion Fund	10,000,000	0	10,000,000
Reserve for WEDC -- Childcare Revolving Loan Program	15,000,000	0	15,000,000
Reserve for WTCS -- Oral Healthcare Workforce	20,000,000	0	20,000,000
Reserve for Workforce Development -- Commercial Drivers License Training Grants	250,000	250,000	500,000
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Current Total - GPR	<b>\$213,440,500</b>	<b>\$20,349,100</b>	<b>\$233,789,600</b>
 <b>20.865(4)(g) Appropriation Total Summary - PR</b>			
Reserve for Administration -- Tribal Grants	\$11,000,000	\$0	\$11,000,000
Reserve for Administration -- Division of Facilities Development Staffing	964,000	1,285,400	2,249,400
Reserve for Shared Revenue -- County Aid Payments	3,613,000	0	3,613,000
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Current Total - PR	<b>\$15,577,000</b>	<b>\$1,285,400</b>	<b>\$16,862,400</b>
 <b>20.865(4)(m) Appropriation Total Summary - FED</b>			
	\$0	\$0	\$0
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Current Total - FED	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
 <b>20.865(4)(u) Appropriation Total Summary - SEG</b>			
Reserve for Transportation - Driver Education Grant	\$0	\$6,000,000	\$6,000,000
Reserve for Transportation - Local Bridges and Culverts	12,500,000	0	12,500,000
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Current Total - SEG	<b>\$12,500,000</b>	<b>\$6,000,000</b>	<b>\$18,500,000</b>

**SUMMARY  
JOINT COMMITTEE ON FINANCE  
GPR APPROPRIATION STATUS  
2023-25 Biennium  
July 1, 2023**

2023 Act 19 (Biennial Budget)	<u>2023-24</u>	<u>2024-25</u>	<u>2023-25 Biennium</u>	<u>Releases to Date</u>	<u>Remaining Reserve</u>
<b>Current Biennial Appropriation Reserved Amount [s. 20.865(4)(a)]</b>	<b>\$213,306,900</b>	<b>\$20,215,500</b>	<b>\$233,522,400</b>		
<u>Reserved For:</u>					
Reserve for Building Commission -- Transfer to Building Trust Fund	\$32,000,000	\$0	\$32,000,000		\$32,000,000
Reserve for Children and Families -- National Reading Program	500,000	500,000	1,000,000		1,000,000
Reserve for Corrections -- Population and Inflationary Cost Increases	5,675,100	5,675,100	11,350,200		11,350,200
Reserve for Corrections -- Contract Bed Funding	0	8,790,400	8,790,400		8,790,400
Reserve for Corrections -- Reentry Centers	4,000,000	0	4,000,000		4,000,000
Reserve for Health Services -- Telemedicine Crisis Response Pilot Program	2,000,000	0	2,000,000		2,000,000
Reserve for Health Services -- Crisis Urgent Care	10,000,000	0	10,000,000		10,000,000
Reserve for Health Services -- Dentistry Residency	5,000,000	0	5,000,000		5,000,000
Reserve for Health Services -- Complex Patient Pilot Program	5,000,000	0	5,000,000		5,000,000
Reserve for Military Affairs -- Town of Silver Public Safety Building	1,000,000	0	1,000,000		1,000,000
Reserve for Military Affairs -- Pre-Disaster Flood Mitigation	2,000,000	0	2,000,000		2,000,000
Reserve for Military Affairs -- WISCOM Upgrades	0	2,000,000	2,000,000		2,000,000
Reserve for Miscellaneous Appropriations -- WisconsinEye	10,000,000	0	10,000,000		10,000,000
Reserve for Natural Resources -- Well Compensation	1,000,000	0	1,000,000		1,000,000
Reserve for Public Instruction -- Literacy	50,000,000	0	50,000,000		50,000,000
Reserve for Public Instruction -- Shared School District Services	5,000,000	0	5,000,000		5,000,000
Reserve for Public Instruction -- Recovery School	500,000	500,000	1,000,000		1,000,000
Reserve for UW System -- Workforce Development	31,881,800	0	31,881,800		31,881,800
Reserve for Veterans Affairs -- State Veterans Homes	2,500,000	2,500,000	5,000,000		5,000,000
Reserve for WEDC -- Opportunity Attraction and Promotion Fund	10,000,000	0	10,000,000		10,000,000
Reserve for WEDC -- Childcare Revolving Loan Program	15,000,000	0	15,000,000		15,000,000
Reserve for WTCS -- Oral Healthcare Workforce	20,000,000	0	20,000,000		20,000,000
Reserve for Workforce Development -- Commercial Drivers License Training Grants	250,000	250,000	500,000		500,000
<b>Reserved Balance</b>	<b>\$213,306,900</b>	<b>\$20,215,500</b>	<b>\$233,522,400</b>	<b>\$0</b>	<b>\$233,522,400</b>
<u>Releases from Reserved Balance:</u>					
	\$0	\$0	\$0		
<b>Total Releases</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>		
<b>Remaining Reserved Balance</b>	<b>\$213,306,900</b>	<b>\$20,215,500</b>	<b>\$233,522,400</b>		
<b>Current Biennial Appropriation Unreserved Amount [s. 20.865(4)(a)]</b>	<b>\$133,600</b>	<b>\$133,600</b>	<b>\$267,200</b>		
<u>Releases from Unreserved Balance</u>					
	\$0	\$0	\$0		
<b>Total Releases</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>		
<b>Net Unreserved Balance Remaining</b>	<b>\$133,600</b>	<b>\$133,600</b>	<b>\$267,200</b>		
<b>TOTAL AVAILABLE</b>	<b>\$213,440,500</b>	<b>\$20,349,100</b>	<b>\$233,789,600</b>		

**SUMMARY**  
**JOINT COMMITTEE ON FINANCE**  
**PR APPROPRIATION STATUS**  
**2023-25 Biennium**  
**July 1, 2023**

	<u>2023-24</u>	<u>2024-25</u>	<u>2023-25</u> <u>Biennium</u>	<u>Releases</u> <u>to Date</u>	<u>Remaining</u> <u>Reserve</u>
<b>Current Appropriation Amount [s. 20.865(4)(g)]</b>	<b>\$15,577,000</b>	<b>\$1,285,400</b>	<b>\$16,862,400</b>		
<u>Reserved For:</u>					
Reserve for Administration – Tribal Grants	\$11,000,000	\$0	\$11,000,000		\$11,000,000
Reserve for Administration – Division of Facilities Development Staffing	964,000	1,285,400	2,249,400		2,249,400
Reserve for Shared Revenue – County Aid Payments	3,613,000	0	3,613,000		3,613,000
Reserved Balance	\$15,577,000	\$1,285,400	\$16,862,400	\$0	\$16,862,400
<u>Releases from Reserved Balance</u>					
	\$0	\$0	\$0		
Total Releases	\$0	\$0	\$0		
<b>Remaining Reserved Balance</b>	<b>\$15,577,000</b>	<b>\$1,285,400</b>	<b>\$16,862,400</b>		

**SUMMARY  
JOINT COMMITTEE ON FINANCE  
SEG APPROPRIATION STATUS  
2023-25 Biennium  
July 1, 2023**

	<u>2023-24</u>	<u>2024-25</u>	<u>2023-25 Biennium</u>	<u>Releases to Date</u>	<u>Remaining Reserve</u>
<b>Current Appropriation Amount [s. 20.865(4)(u)]</b>	<b>\$12,500,000</b>	<b>\$6,000,000</b>	<b>\$18,500,000</b>		
<u>Reserved For:</u>					
Reserve for Transportation - Driver Education Grant	\$0	\$6,000,000	\$6,000,000		\$6,000,000
Reserve for Transportation - Local Bridges and Culverts	12,500,000	0	12,500,000		12,500,000
<b>Reserved Balance</b>	<b>\$12,500,000</b>	<b>\$6,000,000</b>	<b>\$18,500,000</b>	<b>\$0</b>	<b>\$18,500,000</b>
<u>Releases from Reserved Balance</u>					
	\$0	\$0	\$0		
<b>Total Releases</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>		
<b>Remaining Reserved Balance</b>	<b>\$12,500,000</b>	<b>\$6,000,000</b>	<b>\$18,500,000</b>		

**SUMMARY**  
**JOINT COMMITTEE ON FINANCE**  
**FED APPROPRIATION STATUS**  
**2023-25 Biennium**  
**July 1, 2023**

	<u>2023-24</u>	<u>2024-25</u>	<u>2023-25</u> <u>Biennium</u>	<u>Releases</u> <u>to Date</u>	<u>Remaining</u> <u>Reserve</u>
<b>Current Appropriation Amount [s. 20.865(4)(m)]</b>	\$0	\$0	\$0		
<u>Reserved For:</u>	\$0	\$0	\$0	\$0	\$0
Reserved Balance	\$0	\$0	\$0	\$0	\$0
<u>Releases from Reserved Balance</u>	\$0	\$0	\$0		
Total Releases	\$0	\$0	\$0		
<b>Remaining Reserved Balance</b>	\$0	\$0	\$0		